

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CLARENCE C. FRAZIER,

Plaintiff,

v.

NANCY BERRYHILL,

Defendant.

Case No. [18-cv-04062-TSH](#)

**ORDER TO SHOW CAUSE; ORDER  
EXTENDING BRIEFING DEADLINES**

On March 29, 2019, the Court granted the parties' stipulation to extend the deadline for Defendant Nancy A. Berryhill, Acting Commissioner of Social Security, to file a response to Plaintiff Clarence Frazier's motion for summary judgment and separate statement of facts to April 16, 2019. ECF No. 27. As Defendant failed to file a response by the deadline, the Court **ORDERS** Defendant to show cause why sanctions should not be imposed for failure to comply with court deadlines. Defendant shall e-file (no chambers copy required) a responsive declaration by April 23, 2019. Failure to file a response may result in judgment entered in favor of Plaintiff.

Defendant is **FURTHER ORDERED** to file a response to Plaintiff's motion and a responsive statement of facts by April 23, 2019. The Court reminds Defendant that the statement of facts must be separate from the motion and set forth: (a) for each paragraph of Plaintiff's separate statement, a correspondingly numbered paragraph indicating whether Defendant disputes the statement of fact as set forth by Plaintiff and, if disputed, a reference to the specific portion of the Administrative Record supporting Defendant's position; and (b) any additional facts from the Administrative Record on which Defendant relies in support of the motion. Each additional fact must be set forth in a separately numbered paragraph and cite to a specific portion of the Administrative Record where the fact finds support.

1 The deadline for Plaintiff's reply brief is **EXTENDED** to May 7, 2019. If Defendant sets  
2 forth additional facts in the cross-motion, Plaintiff is reminded that he must file a statement,  
3 separate from the reply brief, with correspondingly numbered paragraphs indicating whether  
4 Plaintiff disputes the statement of fact as set forth by Defendant and, if disputed, a reference to the  
5 specific portion of the Administrative Record supporting Plaintiff's position. Facts that are not  
6 already included in the motion and/or opposition are not permitted.

7 **IT IS SO ORDERED.**

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9 Dated: April 17, 2019

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11 THOMAS S. HIXSON  
12 United States Magistrate Judge  
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